



IN THE U.S. PATENT AND TRADEMARK OFFICE

Re application of :
Yan Wang et al. : Examiner: Cho, Hong Sol
Filed: Herewith : Group Art: 2619
Serial No. 10/702,217
Filed: February 17, 2004 :
For: ADAPTIVE SPREADING FACTOR BASED ON POWER CONTROL

TRANSMITTAL OF RESUBMISSION OF PREVIOUSLY SUBMITTED
RESPONSE TO NON-FINAL OFFICE ACTION DATED APRIL 8, 2008

Director for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

This communication is an explanation and resubmission of our submission dated and filed on June 23, 2008 which was a response to the Non-final Office Action dated April 8, 2008.

***If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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| <input checked="" type="checkbox"/> Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450. | <input type="checkbox"/> Transmitted by facsimile to the U.S. Patent and Trademark Office. |

Signed and Filed

Date: Oct. 15, 2008

Marjellen Chapdelaine
(type or print name of person certifying)


On October 14, 2008 the Examiner, Hong Cho, phoned our office to inform us that no response had been received by the USPTO to the Non-Final Office Action dated April 8, 2008. In reviewing the situation, we noted that our filed response has not been entered into the PAIR system in addition to not having been received by the Examiner. We concluded that it has been lost in the USPTO since the receipt postcard was returned to us. On October 15, 2008, we phoned the examiner's supervisor, Wing Chan, to ask for advice on the correct manner to resubmit the lost paperwork. He instructed us to resubmit copies of the original paperwork and the stamped return receipt postcard along with a letter of explanation.

We are therein resubmitting the above listed items for consideration. Included are:

1. a copy of the originally mailed "Further Request For Reconsideration" dated June 23, 2008.
2. a copy of stamped return receipt postcard which was returned to the addressee.

Respectfully submitted,

Date: Oct. 15, 2008


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